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## *The Public Service Commission State of South Carolina*

COMMISSIONERS  
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Docketing Department  
Jocelyn G. Boyd, Deputy Clerk  
Phone: (803) 896-5114  
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March 27, 2009

The Office of Regulatory Staff  
Department of Consumer Services  
1401 Main Street, Suite 900  
Columbia, SC 29201

RECEIVED

MAR 30 2009

PSC SC  
DOCKETING DEPT.

Dear Department of Consumer Services:

The enclosed documents were received by the Public Service Commission on March 27, 2009, from Richard Whitt, Austin & Rogers, P.A., regarding his client Carolyn L. Cook. The complaint does not indicate that it has been reviewed by the Department of Consumer Services.

At the conclusion of your review/investigation of the attached documents, please inform the Commission's Docketing Department in writing of your findings in order that the Commission can continue its processing of the attached complaint.

Sincerely,

*Deborah Easterling*  
Deborah Easterling

Enclosure:

cc: Richard Whitt  
Robin Dial

## STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE:

Carolyn L. Cook, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
NUMBER: \_\_\_\_\_

(Please type or print)

Submitted by: Richard L. WhittSC Bar Number: 62895Address: Austin & Rogers, P.A.Telephone: 803-251-7442508 Hampton Street, Suite 300Fax: 803-252-3679Columbia, South Carolina 29201Other: 803-256-4000Email: rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

Other: Routine

| INDUSTRY (Check one)                                 | NATURE OF ACTION (Check all that apply)            |  |  |
|--|--|--|--|
| <input type="checkbox"/> Electric                    | <input type="checkbox"/> Affidavit of Publication  | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                   |
| <input type="checkbox"/> Electric/Gas                | <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water              | <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement          |
| <input type="checkbox"/> Electric/Water/Telecom.     | <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment          |
| <input type="checkbox"/> Electric/Water/Sewer        | <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter        |
| <input type="checkbox"/> Gas                         | <input type="checkbox"/> Certification of Mailing  | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                  |
| <input type="checkbox"/> Railroad                    | <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery     |
| <input checked="" type="checkbox"/> Sewer            | <input checked="" type="checkbox"/> Complaint      | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition        |
| <input type="checkbox"/> Telecommunications          | <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation               |
| <input type="checkbox"/> Transportation              | <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Return                            | <input type="checkbox"/> Subpoena                  |
| <input type="checkbox"/> Water                       | <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                    |
| <input type="checkbox"/> Water/Sewer                 | <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                    |
| <input type="checkbox"/> Administrative Matter       | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |  |
| <input type="checkbox"/> Other:                      | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |  |
|  | <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |  |

**Austin & Rogers, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW

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TIMOTHY F. ROGERS  
RAYMON E. LARK, JR.  
RICHARD L. WHITT  
JEFFERSON D. GRIFFITH, III\*  
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\* ALSO MEMBER NORTH CAROLINA BAR

March 25, 2009

**VIA ELECTRONIC FILING**

The Honorable Charles L. A. Terreni  
Chief Clerk and Administrator  
The Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re:   • Carolyn L. Cook, Complainant, v. Alpine Utilities, Inc.  
      • Formal Complaint

Dear Mr. Terreni:

Enclosed please find a copy of the Formal Complaint of Carolyn L. Cook, relevant to her time of ownership of Windridge Townhomes located in the 3300 block of Kay Street in Columbia, South Carolina (Richland County), (hereinafter, "Windridge"). The utility serving Windridge during Ms. Cook's time of ownership was Alpine Utilities, Inc.

Please show Jefferson D. Griffith, III, Esquire and the undersigned as her Counsel of Record. Her Complaint, signed in original, will be mailed to you today. ✓

Respectfully submitted,  
/s/  
Richard L. Whitt

RLW/jjy  
Enclosure

**COPY**

## Complaint

I, Carolyn L. Cook, received sewer services from Alpine Utilities, Inc., (hereinafter, "Alpine") during my ownership of Windridge Townhomes, located in the 3300 block of Kay Street in Columbia, South Carolina (Richland County), (hereinafter, "Windridge") in a time frame from 1999 until December 28, 2005.

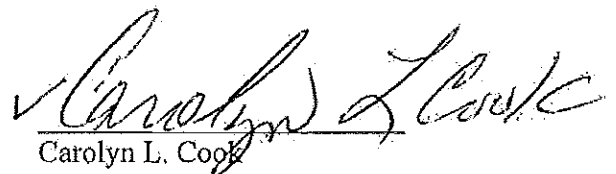
Alpine required me to be responsible for the payment of monthly sewer utility services to my 46 tenants located in 23 duplexes located at Windridge.

On or about October 6, 2003 my husband, James C. Cook, contacted Alpine and informed Alpine of a new state law, Section 27-33-50, which became effective on July 1, 2002. My husband, on my behalf, requested Alpine to establish individual sewer utility accounts with each of the tenants residing at Windridge, in compliance with Section 27-33-50. Alpine refused that request, along with our later requests for Alpine to comply with Section 27-33-50. I have also learned that there are 58 other landlords and owners who may have been required to pay for the sewer utility services for their tenants.

Because Alpine should have known that the law changed on July 1, 2002, and because my husband gave Alpine actual notice of Section 27-33-50 on or about October 6, 2003, I believe that Alpine willfully overcharged me during my period of ownership of Windridge.

Therefore, I would like to file a formal complaint against Alpine, and I am seeking a return of the overcharge pursuant to R. 103. 533 (3), from October 6, 2003 until December 28, 2005.

For the record, I am a General Partner of Happy Rabbit, a South Carolina Limited Partnership, and Happy Rabbit has a Complaint pending with this Commission.



Carolyn L. Cook

My address is:

608 Southlake Road  
Columbia, SC 29223

My telephone number is:

803-788-3133

**ORIGINAL**